

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

APPLICATION OF SOUTHERN INDIANA GAS &)	
ELECTRIC CO. D/B/A VECTREN ENERGY)	
DELIVERY OF INDIANA, INC. FOR A)	CASE NO.
CERTIFICATE TO CONSTRUCT AN ELECTRIC)	2010-00223
TRANSMISSION LINE FROM ITS A.B. BROWN)	
PLANT TO THE BIG RIVERS REID EHV)	
STATION)	

O R D E R

This matter arises upon the motion filed by Henderson Water Utility ("HWU") to reschedule the evidentiary hearing previously scheduled to be held on October 13, 2010, at the Frankfort offices of the Kentucky Public Service Commission. HWU's motion also requests that the Kentucky State Board on Electric Generation and Transmission Siting's ("Siting Board") August 31, 2010 procedural schedule be amended to extend the deadlines for the parties to file their witness lists, summaries of witness testimony, and direct testimony.

In support of its motion for additional time, HWU states that the Applicant, Southern Indiana Gas & Electric Co. d/b/a Vectren Energy Delivery of Indiana, Inc. ("Vectren"), "has failed and refused to completely answer data requests served by HWU" and that, without the information which HWU has requested, "it is impossible for HWU to identify those witnesses who will testify on its behalf at the formal evidentiary hearing, to provide brief summaries of their testimony, or to file direct testimony."

HWU filed a motion to compel Vectren to provide the data requested in its information requests regarding the design specifications for the support facilities Vectren proposes to site on its property and the exact location of each of those facilities. Vectren filed its response to the motion to compel on September 20, 2010, in which it explained that it had provided all information in its possession that is responsive to HWU's information request. Vectren notes that "the information contained at Tab 20 of Volume II of the application shows the type and location of proposed support structures, and Tab 5 of Volume I contains detailed engineering diagrams of each of the proposed structures." More specifically, Vectren states that the map at Tab 20 of Volume 2 "shows the proposed location of a lattice tower and three single towers."

Vectren also states that the final determination of the exact location for each support structure and the exact design specifications for each tower or pole will be subject to further engineering studies that will not be done by Vectren unless the Siting Board approves its Application. Vectren states that the support structure diagrams in Tab 5 of Volume 1 of the Application "are typical of those used by the utility industry and represent the best information Vectren currently has available regarding the design specifications of said structures."

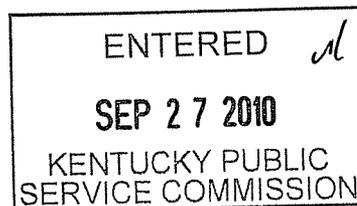
The Siting Board finds that Vectren has substantially complied with HWU's data request. Therefore, the Board will deny HWU's motion to compel. However, the time elapsed during the discovery dispute has made it necessary to extend the deadline for the parties to file their witness lists, summary testimony, and final prehearing testimony in this matter. In its response, Vectren states that it does not oppose an extension of the filing deadline for those items.

The Siting Board finds that the procedural schedule in this matter should be revised to provide sufficient time for the parties to comply with the prehearing filing requirements. The Siting Board also finds that, due to the statutory deadline of November 12, 2010 for the Siting Board to issue its final decision in this matter, pursuant to KRS 278.714(3), HWU's request to reschedule the October 13, 2010 evidentiary hearing in this matter must be denied.

IT IS THEREFORE ORDERED that:

1. The motion of HWU for an extension of time to file witness lists, summaries of witness testimony, and direct testimony is granted.
2. The motion of HWU to reschedule the October 13, 2010 evidentiary hearing is denied.
3. All parties shall comply with the revised procedural schedule attached as an Appendix to this Order.

By the Kentucky State Board on Electric
Generation and Transmission Siting



ATTEST:


Executive Director
Public Service Commission
on behalf of the Kentucky State
Board on Electric Generation
and Transmission Siting

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING IN CASE NO.
2010-00223 DATED **SEP 27 2010**

REVISED PROCEDURAL SCHEDULE

- Application filed 07/15/10
- Any motion to intervene shall be filed with the Siting Board no later than 08/16/10
- Any request for a public hearing shall be filed no later than 08/16/10
- Intervenors and Staff may file information requests to Vectren no later than..... 08/23/10
- Vectren and Staff may file information requests to Intervenors no later than..... 09/01/10
- Local Public Hearing at 5:30 p.m., Central Daylight Time, Henderson Fine Arts Center, Henderson Community College, 2660 S. Green Street, Henderson, Kentucky for the purpose of hearing public comments..... 09/02/10
- Vectren's responses to information requests are due no later than 09/03/10
(Responses shall include the name of the person who prepared each response and who will be available to testify at the hearing on that response).
- Intervenors' responses to information requests are due no later than 09/13/10
(Responses shall include the name of the person who prepared each response and who will be available to testify at the hearing on that response).
- Parties shall file a list of witnesses for the formal evidentiary hearing, together with a brief summary of their testimony, no later than 09/28/10
- Vectren shall publish notice of the formal evidentiary hearing in a newspaper of general circulation in Henderson County and Webster County no later than 09/29/10
- Parties shall file direct testimony, if any, no later than 10/04/10
- Vectren shall file proof of publication of the notice of hearing no later than..... 10/08/10
- Public Evidentiary Hearing at 10:00 a.m., Eastern Daylight Time, at the offices of the Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of cross-examination of witnesses..... 10/13/10
(The evidentiary hearing may be canceled if the Siting Board determines that an evidentiary hearing is not necessary to determine the issues in the case).

Briefs, if any, shall be filed no later than To Be Determined
Decision due..... 11/12/10

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